



IOWA DEPARTMENT OF NATURAL RESOURCES

**January 29, 2009
For immediate release**

- 1. DNR moves forward on stream assessments, meets with cities and industries statewide**
- 2. Dickinson County residents asked to share ideas on improving Silver Lake**
- 3. DNR reschedules meetings on antidegradation policy and implementation rule**
- 4. DNR to host public meeting on proposed ginseng rules**
- 5. DNR enforcement actions**

**DNR MOVES FORWARD ON STREAM ASSESSMENTS,
MEETS WITH CITIES AND INDUSTRIES STATEWIDE**

MEDIA CONTACT: Lori McDaniel at (515) 281-8094.

DES MOINES — An upcoming series of meetings will focus on recent DNR stream assessments and the effects they will have on cities and businesses discharging treated wastewater to state streams.

The four meetings across the state provide an important dialogue with communities on how Iowa will implement significant changes to stream classifications in the state's water quality standards. The DNR made the changes in 2006 to meet requirements of the federal Clean Water Act.

The meetings will be held as follows:

Guthrie Center:

Monday, Feb. 2, 1:00 p.m. to 4:00 p.m.

Mary J. Barnett Memorial Library, 400 Grand St.

Iowa City:

Wednesday, Feb. 11, 2009, 6:00 p.m. to 9:00 p.m.
Iowa City Public Library, Meeting Room A, 123 South Linn St.

Orange City:

Tuesday, Feb. 3, 1:00 p.m. to 4:00 p.m.
Orange City Public Library, 112 Albany Ave. SE

Waterloo:

Wednesday, Feb. 11, 2009, 10:00 a.m. to 1:00 p.m.
Waterloo Public Library, Meeting Room A, 415 Commercial St.

The changes in 2006 created a presumption that all streams deserve the highest classification and the highest level of protection. Since then, the DNR has conducted stream assessments in groups to determine what stream classification is most appropriate for those streams. The DNR held a similar round of meetings on the first group of streams in 2007.

These stream studies can change the level of protection on some streams, which will affect how some cities and industries will need to treat effluent being released to Iowa streams.

In the meetings, the DNR will address concerns of cities and businesses that may face stricter permit requirements when new water quality standards go into effect. The meetings will include a short presentation, a general question and answer session, and one-on-one consultations with representatives of industries and municipalities.

“I am looking forward to meeting with Iowa businesses and communities, to work with them to find innovative solutions to the water quality challenges we face as a state,” said Adam Schnieders, who works on water quality standards for the DNR.

Some facilities may need to make minor to major upgrades on their facilities in coming years to meet new permit limits. These new permits will further limit the amount of pollutants entering Iowa’s streams and rivers.

The DNR will begin rulemaking efforts in February to formally make changes to use designations for a number of Iowa streams and rivers.

For more information on water quality standards, visit the DNR’s Web site at www.iowadnr.gov/water/standards/.

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**DICKINSON COUNTY RESIDENTS ASKED TO SHARE IDEAS ON
IMPROVING SILVER LAKE**

MEDIA CONTACTS: Jeff Berckes at (515) 281-4791 or jeff.berckes@dnr.iowa.gov; or Charles Ikenberry at (515) 281-8753 or charles.ikenberry@dnr.iowa.gov.

LAKE PARK – Iowans interested in improving Silver Lake in Dickinson County can attend a Feb. 17 meeting to review and discuss a recent water quality study and its suggestions for improving the lake.

Silver Lake is on the state's impaired waters list because of poor water clarity. Lakes with poor water clarity contain high levels of turbidity, which means that the water appears murky and unclear. Occasionally, large amounts of algae are present in Silver Lake, which also contributes to high turbidity. Poor water clarity can make a lake visually unappealing and affect recreation, such as swimming and boating.

The cause of turbidity problems in Silver Lake appear to be soil erosion, synthetic fertilizers, livestock manure and the stirring up of phosphorus already in the lake.

The study, or DNR water quality improvement plan, looks at the causes and potential solutions for the problems in Silver Lake. It is designed as a guide for improving the lake for local resource agencies, partners, stakeholders and residents.

“Silver Lake is an important resource to northwest Iowa, and we’re looking forward to meeting with citizens who want to make a difference in their lake,” said Jeff Berckes with the DNR’s Watershed Improvement program. “We’ll present the results of our research at the meeting and talk about how we can create a plan to improve water quality together.”

The DNR will ask Iowans for their input at the Feb. 17 meeting in Lake Park. The meeting will begin at 6:00 p.m. at the Lake Park Community Center, 903 South Market St.

Staff from the DNR’s Lake Restoration program, Watershed Improvement program and Fisheries and Wildlife bureaus will also be on hand to answer questions.

Those not able to attend the public meeting can receive more information at www.iowadnr.gov/water/watershed/tmdl/publicnotice.html and submit comments on the plan from Feb. 3 to March 6 via:

E-mail: jeff.berckes@dnr.iowa.gov

Telephone: Jeff Berckes at (515) 281-4791

Mail: Jeff Berckes, care of Iowa DNR, Wallace State Office Building,
502 E. Ninth St., Des Moines, Iowa 50319

After gathering Iowans’ comments, the DNR will forward the final plan, also called by its technical name of Total Maximum Daily Load, to the U.S. Environmental Protection Agency for approval. Local groups interested in helping Silver Lake can then use the plan to assist their improvement efforts.

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DNR RESCHEDULES MEETINGS ON ANTIDEGRADATION POLICY AND IMPLEMENTATION RULE

MEDIA CONTACT: Adam Schnieders at (515) 281-7409 or adam.schnieders@dnr.iowa.gov

DES MOINES — The DNR has rescheduled two public meetings on proposed water quality standard rules to implement an antidegradation policy in Iowa.

The meetings were postponed due to winter weather and have been rescheduled for Tuesday, March 3 at:

Independence: 10:00 a.m., Falcon Civic Center, 1305 Fifth Ave. NE

Waukon: 6:00 p.m., in the Northeast Iowa Community College/Waukon Wellness Center, 1220 Third Ave. NW, Suite 102

The DNR has also extended the public comment period on the proposed rules to March 4.

The antidegradation policy, required by Iowa law, would set minimum requirements for the state to conserve, maintain and protect water quality and existing uses of Iowa's waterbodies.

Antidegradation policy is one of the three components of water quality standards (i.e. designated uses, water quality criteria to protect those uses, and antidegradation policy). The DNR is proposing a four-tiered approach, including creating a guidance document that establishes procedures for implementing the antidegradation policy.

The changes being proposed include the following:

- Incorporate by reference the document entitled "Iowa Antidegradation Implementation Procedure," which proposes an approach to be followed in assessing and minimizing degradation of Iowa's surface waters
- Update antidegradation policy language with four tier approach
- Remove High Quality (Class HQ) and High Quality Resource (Class HQR) designated uses and add several waters to the newly proposed Outstanding Iowa Water (OIW) category.

People can also submit written comments by sending them to Adam Schnieders, Iowa DNR, 502 East 9th St., Des Moines, IA 50319, or by e-mail to adam.schnieders@dnr.iowa.gov. The DNR will accept comments until March 4.

For more information, view the complete rule proposal at www.iowadnr.gov/water/standards/antidegradation.html or contact Schnieders by e-mail or at (515) 281-7409.

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DNR TO HOST PUBLIC MEETING ON PROPOSED GINSENG RULES

NOTE TO EDITORS: This release updates an earlier version by including a meeting location in Dubuque.

MEDIA CONTACT: Mimi Habhab at (515) 281-5034 or Mimi.Habhab@dnr.iowa.gov

DES MOINES – The Iowa Department of Natural Resources is proposing new rules covering the harvest and sale of ginseng and will hold a public meeting over the Iowa Communications Network (ICN) to receive public input.

The proposal better defines wild and cultivated ginseng, green and dry ginseng, persons permitted to harvest and sell ginseng, and prohibits the harvesting or planting of ginseng on state-owned and state-managed lands. The proposal also clarifies the fees charged for permits issued under these rules, the restrictions and prohibitions for harvesting wild ginseng, and the record keeping and reporting requirements related to ginseng transactions.

The public meeting is scheduled for 6 p.m., Feb. 4, at the following ICN locations:

- Des Moines: State Historical Building, Room 157 – Heritage Classroom C, 600 East Locust
- Council Bluffs: Iowa Western Community College, Looft Hall, Room 112, 700 College Road
- Davenport: Eastern Iowa Community College District, Kahl Education Center, Room 300, 326 West Third St.
- Decorah: Decorah Public Library, 202 Winnebago St.
- Dubuque: University of Dubuque, Jackaline Baldwin Dunlap Technology Center, Room T201, 2000 University Ave.
- Elkader: Central Community Junior - Senior High School, Room 119, 400 First St. NW
- Fort Dodge: St. Edmund High School, Room 101, 501 N. 22nd St.
- Garnavillo: Clayton Ridge Middle School, 502 W. Watson
- Iowa City: Iowa City High School, north side of school, 1900 Morningside Drive
- Mason City: North Iowa Area Community College, Room 119, Careers Building, 500 College Drive
- Waterloo: Hawkeye Community College, Tama Hall, 1501 E. Orange Road
- West Burlington: Southeastern Community College, Trustee Hall, Room 528, 1500 West Agency

Persons may present their views either orally or in writing at the public meeting. Persons will be asked to give their name and address for the record and to confine their remarks to

the subject of the amendment. Any person who intends to attend the public hearing and has special requirements should contact the Iowa Department of Natural Resources and advise of those specific needs.

Any interested person may make written suggestions or comments on the proposed amendment on or before Feb. 3, 2009. Written materials should be directed to Mimi Habhab, Iowa Department of Natural Resources, Wallace State Office Building, 502 E. 9th Street, Des Moines, IA 50319-0034. Persons wishing to convey their views orally should contact Habhab at (515) 281-5034, by email at mimi.habhab@dnr.iowa.gov or in person at the fourth floor of the Wallace State Office Building.

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DNR ENFORCEMENT ACTIONS

MEDIA CONTACT: Jessie Brown at (515) 281-5131.

DES MOINES — The DNR has taken the following enforcement actions. The following are only briefs; please contact Jessie Brown of the DNR for more information at (515) 281-5131.

Enforcement actions, including copies of the original orders and contact information, are available on the DNR's Web site at www.iowadnr.gov/legal/eactions.html. The Web listing offers orders first taken in 2007 or later (original orders and amendments to orders issued prior to 2007 are not listed).

Administrative Orders

Responsible parties have 30 days to appeal the order or 60 days to pay the penalty.

Johnson County

Stuart Yoder, of Kalona, was issued an administrative order to pay a \$5,000 penalty, cease open burning of solid waste and open dumping of solid waste, and properly recycle or dispose of all waste at a permitted disposal site. The order is in regard to violations of solid waste disposal.

Poweshiek County

GPS Properties LLC, dba Randhawas Travel Center, of Brooklyn, was issued an administrative order to cease all discharges from its wastewater lagoon, to maintain a certified operator for its wastewater treatment facility, and to pay a \$10,000 penalty. The order is in regard to wastewater violations.

Washington County

James Boller, of Kalona, was issued an administrative order to submit a manure management plan (MMP), to pay associated fees, and to pay a \$5,000 penalty. The order is in regard to animal feeding operation violations at a site near Wellman.

Consent Orders

A consent order is issued as an alternative to issuing an administrative order. A consent order indicates that the DNR has voluntarily entered into a legally enforceable agreement with the other party.

Clayton, Polk Counties

Trileaf Corporation, of Grimes, agreed in a consent order to comply with a plan of action that includes, among others, to submit a landfarming notification form and flag the landfarming site. Trileaf also agreed to pay \$2,100 to the Economic Development Board of Parkersburg for tree planting as a Supplemental Environmental Project (SEP). The consent order is in regard to violations related to the land application of petroleum-contaminated soil at a site in Clayton County.

Carrol and Arlene Harbaugh, of Elkader, agreed in a consent order to make improvements to record freeboard measurements in each of their outside manure storage structures, to submit a plan of improvements to the DNR, and to pay a \$2,206.68 penalty and \$1,293.32 in restitution for a fish kill. The consent order is in regard to manure control violations that resulted in a fish kill in West Fork South Cedar Creek.

Delaware, Fayette Counties

TEAMS 2000 LLC, of Masonville, agreed in a consent order to pay a \$3,500 penalty and \$1,241.17 in restitution for a fish kill. The consent order is in regard to a manure discharge into the North Branch of the Volga River in Fayette County. The penalty and restitution have been paid.

Louisa County

Randy Wood, of Columbus Junction, agreed in a consent order to pay a \$5,000 penalty and \$7,582.60 in fish restitution. The consent order is in regard to a prohibited manure discharge that caused a fish kill.

O'Brien County

Roorda Dairy, LLC, of Paullina, agreed in a consent order to operate its facility and controls in the manner they were designed to be operated, and to pay a \$4,000 penalty and \$529.45 in restitution for a fish kill. The consent order is in regard to wastewater violations that caused a fish kill in Mud Creek. The penalty and restitution have been paid.

Shelby County

Natural Milk Production, LLLP, dba Ultimilk Dairy Company, of Kirkman, agreed in a consent order to land-apply manure and all wastewater in a way that will not cause water contamination, to maintain its manure management plan and land application records according to DNR rules, and to pay a \$5,000 penalty. The consent order is in regard to a prohibited discharge to the West Nishnabotna River. The penalty has been paid.

Wapello County

Troy Elevator, Inc., of Blakesburg, agreed in a consent order to pay a \$3,500 penalty. The consent order is in regard to air quality and solid waste disposal violations during demolition of a building at the Troy Elevator facility. The penalty has been paid.

Washington County

76 Ltd., of Keota, agreed in a consent order to submit an updated manure management plan (MMP) and pay a \$2,000 penalty. The order is in regard to failure to update a manure management plan (MMP) and submit annual compliance fees in a timely manner. The penalty has been paid.